REMARKS

Claims 1-14 and 17-19 are all the claims pending in the application, claims 15-16 and 20 having been cancelled previously. The Examiner rejects claims 1-2, 4-5, and 7-10 under 35 U.S.C. §103(a) as being unpatentable over Klopfenstein et al. (US 6,985,190); claims 6 and 11-14 as being unpatentable over Klopfenstein in view of Iwamura (US 5,940,028); and 17-18 as being unpaentable over Iwamura in view of Klopfenstein. Claims 3 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant appreciates the acknowledgment of foreign priority under 35 U.S.C. §119 and of the allowable subject matter of claims 3 and 19.

Applicant amends claims 1-11, 13-14, and 17-19 to correct syntactical, grammatical, and antecedent basis errors in the claims. No new matter has been added.

§ 103(a) Rejection
Klopfenstein Reference

Claims 1-2, 4-5, and 7-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klopfenstein. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See, MPEP 2143.

Claims 1, 7 and 9

The present invention and Klopfenstein are each directed to an apparatus and method for measuring the broadcast signal strength of each channel of a broadcast receiver and displaying the signal strength of each channel on a display for the purpose of orienting an antenna. The present invention sums the signal strengths and displays the sum. Klopfenstein does not.

Klopfenstein scans the over-the-air channels, and if the signal strength of an over-the-air channel is **above a certain threshold criteria**, the channel is added to a Channel List and an Antenna Info List stored in memory. *See*, col. 4:32-35. The Antenna Info List may be displayed by invoking a menu command. See FIG 6, reproduced below.

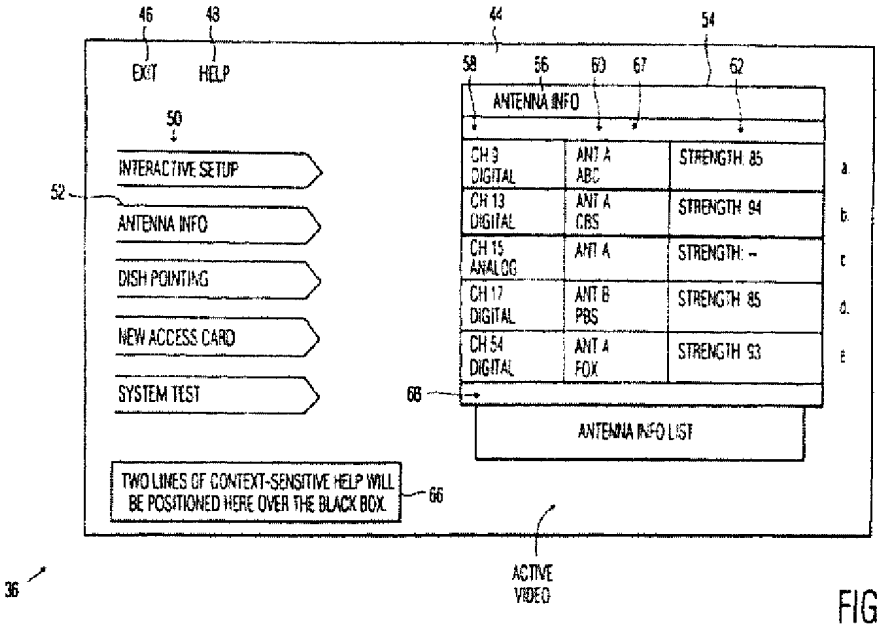

FIG. 6

The Antenna Info List contains information regarding a digital channel's signal strength. However, the Antenna Info List does not contain a sum of all the displayed digital channel signal strengths. The Examiner asserts that it is obvious for the skilled in the art to provide such a sum.

Even if such a sum was provided to the Antenna Info List display, that sum is not the "combined signal strength of the entire scanned channels in an OSD (On Screen Display) form" as recited in claims 1, 7 and 9. Klopfenstein stores and displays the signal strengths on only those **channels that are "above a certain threshold criteria"** (see, col. 4: 34) whereas the application displays the "**entire scanned channels**." Therefore, even if Klopfenstein's channels were summed, which they are not, the sum would be that of only **some of the channels**. This is not the same as the application's combined signal strength of **all the channels**.

Further, Klopfenstein does not display the total number of channels stored in and displayed on the Antenna Info List. Claims 1, 7 and 9 recite the limitation of displaying or outputting the number of channels scanned, and this limitation is not addressed by the Examiner.

For at least these reasons, the cited reference does not teach all the limitations of claims 1, 7 and 9 (display the number of scanned channels and combined signal strength of all the channels), claims 1, 7 and 9 are allowable over the cited prior art, and applicant respectfully requests the Examiner to reconsider and withdraw the rejections.

Dependent Claims 2, 4-5, 8 and 10

Each of these claims is dependent from an allowable independent claim, and for at least this reason, is allowable, and applicant respectfully requests the Examiner to reconsider and withdraw the rejections.

§ 103(a) Rejection
Iwamura and Klopfenstein Reference

Claim 17

The Examiner cites Iwamura for teaching all the limitations of claim 17 except for displaying signal strengths of each channel and the sum of the signal strengths of the entire channels. For this limitation, the Examiner cites

Klopfenstein and the ordinary skill in the art. As previously noted, Klopfenstein dails to teach or reasonably suggest displaying the combined signal strength of the scanned channels and the number of scanned channels. Since Iwamura does not display the combined signal strength of the entire channels, Iwamura does not cure the deficiencies of Klopfenstein as discussed above.

For this reason, Iwamura and Klofenstein, when viewed singly or together, fail to teach all the limitations of claim 17, and claim 17 is allowable over Iwamura and Klopfenstein. Applicant respectfully requests the Examiner to reconsider and withdraw the rejections.

Claims 6, 11-14, and 18

Each of these claims depends from an allowable independent claim, and for at least this reason is allowable, and applicant respectfully requests the Examiner to reconsider and withdraw the rejections.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain at issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly invited to contact the undersigned at (213) 623-2221.

Respectfully submitted,
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